



Zoning Board of Appeals
Meeting Minutes
Wednesday, May 8, 2013

Zoning Board of Appeals Attendees:

Present: Matthew Perkins, David Connolly, John Tuzik and David Delaney

Mathew Perkins opened the meeting at 7:30 p.m. in the second floor hearing room and read the general rules of the hearing into the record.

Continuance Public Hearing ZBA Case 2013-06V: 808-816 Circuit Street

The Chairman reopened the public hearing to discuss the requested variance for 808-816 Circuit Street. The applicant Christopher Pongratz provided the Deed to the property of 808 Circuit Street to the board. Peter Tuttle of Merrill Associates, the engineer working for the applicant Christopher Pongratz, gave a presentation to the Board answering any questions the board had about the application for a variance. The variance is requested to reduce the minimum side yard setback from 20 feet to 12.2 feet as stated in Section 7.410 of the Hanover Zoning By-Laws. The variance is requested by Christopher Pongratz in order to allow him to submit an ANR plan to the Planning Board that would move his property line. The relocation of his property line would make the existing structure non-conforming unless they are granted the variance from the setback requirements. Christopher Pongratz plans to sell his home and would like to move his property line around the existing garage. This action would grant the garage to his mother, current resident of 816 Circuit Street. Christopher Pongratz explains to the board that the property line was created because of the previous size of the existing garage which since 1999 when the property lines were drawn has decreased in size. Christopher Pongratz explains to the board that he does not see that the variance will diminish the character of the neighborhood. Pongratz see that having no garage for 816 Circuit Street is a hardship for his mother.

In deliberation the board states that the existing lot is a conforming lot and the variance would then make a non-conforming lot. The board also stated that it is not a hardship to not have a garage. A garage is a secondary structure. The board pointing to the lack of evidence arguing his hardship. The board then requested that Tony Marino, Building Commissioner to be present at the next ZBA meeting. David Connolly made a motion to continue the public hearing to May 22nd. John Tuzik seconded the motion and it was so voted unanimously.

Continuance Public Hearing ZBA Case 2013-07SP: 691 Main Street

The Vice-Chairman David Delaney reopened the public hearing to discuss the requested special permit for 691 Main Street. Gregory J. Morse of Morse Engineering Company working for the applicant Christopher & Kimberly Giovanucci gave a presentation to the board concerning the application for a special permit. The special permit is requested to allow for the vertical expansion of an existing non-conforming structure under Section 4.220 of the Hanover Zoning By-Laws. The proposed project looks to expand the vertical height of an existing barn from 35.7 feet to 37.7 feet. The current barn is located on the property of 691 Main Street. The applicant plans to move the barn and restore the barn to a residential dwelling. Mr. Morse presentation includes a vision assessment of the proposed barn height, compared to the visual impact of a building which may be built under the current zoning setback and height regulations. The presentation depicted that the proposed building height is less obstructive to the abutters and neighbors. The height is measured from the existing grade to the top of the eve. The board was then presented with pictures taken on a site visit by Administrative Assistant, Peter Matchak from both 691 Main Street and 22 Buena Vista Way. Abutters Kevin and Christina Coyne of 22 Buena Vista Way voiced their concerns of the additional height; Mr. Coyne spoke to the board stating that the height will obstruct his view while decreasing the value of this home. David Connolly made a motion to close the public hearing and to approve the application of a special permit that extension of a non-conformance. Special conditions to the special permit include the planting of arborvitaes of the height of 10-12 feet within six mounts of the recording of the Special Permit creating a buffer between 691 Main Street and 22 Buena Vista Way. John Tuzik seconded the motion. All others voted in favor.

Open Public Hearing ZBA Case 2013-09SP: 21 Clapp Road

The Chairman opened the public hearing to discuss the requested special permit for 21 Clapp Road. David Delaney made the motion to waive the reading of abutters. John Tuzik seconded the motion. All others voted in favor. The applicant, Daniel Wolongevicz parents represented the applicant and explained to the board that the applicant plans to build a deck off the back of the existing home, 21 Clapp Road. The current existing dwelling is a non-conforming home with a left side set back of 10 feet. The applicant plans to build a deck which would extend the 10 foot setback the length of the proposed deck. The board saw no opposition to the application. David Connolly made a motion to grant the special permit referencing the Mortgage Inspection Plan for Daniel B. Wolongevicz, 21 Clapp Road, Hanover MA 02239 received by Hanover Department of Municipal Inspections April 4, 2013. Matt Perkins seconded the motion. All other voted in favor.

Meeting Minutes: The Board reviewed the ZBA meeting minutes of April 24, 2013. John Tuzik made a motion to accept the ZBA meeting minutes of April 24, 2013 as written. Matt Perkins seconded the motion all other voted in favor.

Miscellaneous:

David Connolly made a motion to adjourn the meeting at 9: 58p.m. Matt Perkins seconded the motion, all others voted in favor.

Respectfully submitted by: Peter Matchak, Administrative Assistant